

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Baltimore County, Maryland

In the Matter of  
Della Harris  
Respondent

Civil Citation No. 69618  
8831 Sigrid Road

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on January 5, 2010 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 101, 102.1, 1B01, 428, failure to cease the illegal parking/storage of an unlicensed/inoperable vehicle on residential property known as 8831 Sigrid Road, 21133.

On December 16, 2009, pursuant to Baltimore County Code §3-6-205, Inspector Paul Cohen issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$12,600.00 (twelve thousand six hundred dollars).

The following persons appeared for the Hearing and testified: Celeste Harris, daughter of Respondent, Della Harris and Paul Cohen, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence and testimony presented, the Hearing Officer finds:

A. A Correction Notice was issued on October 15, 2009 for removal of untagged/inoperative motor vehicles. This Citation was issued on December 16, 2009.

B. Photographs in the file show a silver colored Kia sedan parked outside, with flat tires and a tarp across the rear window, and license plates without current registration stickers. Inspector Cohen testified that Respondent was issued a citation for the same violation in 2007. Inspector Cohen further testified that when he re-inspected the property on January 4, 2010, he found the car has been licensed but still appears to be inoperable.

C. Celeste Harris, daughter of Respondent, appeared at this Hearing and testified that Respondent is 80 years old and does not drive the vehicle, but wants to repair it and give it to a grandson. She further testified that the repairs are being arranged and will be done by early February.

D. County zoning regulations prohibit the outside storage of inoperative motor vehicles on a residential lot. BCZR Section 428.1(A). The outside storage of unlicensed motor vehicles is also prohibited, except for one vehicle per dwelling unit for a period not exceeding 15 days in any calendar year. Section 428.1(B). The licensing violation has been corrected. However, the vehicle is visibly inoperative, with a missing rear window and flat tires. Because compliance is the goal of code enforcement, the civil penalty will be rescinded if the vehicle is made operable within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the violation is corrected, with the vehicle properly licensed and in operating condition, by March 1, 2010.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 12<sup>th</sup> day of January 2010.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

**NOTICE TO RESPONDENT:** The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.